## **Compiler's Note**

The Journal of the House of Representatives regular session of 2006 is bound in three separate volumes. The large number of pages made it impractical to bind into one volume.

Volume I contains January 9, 2006 through March 6, 2006. Volume II contains March 8, 2006 through March 23, 2006. Volume III contains March 24, 2006 through March 30, 2006 and the complete index.

### **JOURNAL**

OF THE

## HOUSE OF REPRESENTATIVES

OF THE

### STATE OF GEORGIA

AT

### THE REGULAR SESSION

Commenced at Atlanta, Monday, January 9, 2006 and adjourned Thursday, March 30, 2006

## **VOLUME I**



2006

Atlanta, Ga.



## **OFFICERS**

OF THE

## **HOUSE OF REPRESENTATIVES**

## 2005-2006

GLENN RICHARDSON	Speaker
19th Γ	ISTRICT, PAULDING COUNTY
MARK BURKHALTER	
	DISTRICT, FULTON COUNTY
ROBERT E. RIVERS, JR	Clerk
	HARALSON COUNTY
ROGER HINES	Messenger
	COBB COUNTY
BARBARA BUNN	
	ROCKDALE COUNTY
ST	AFF OF CLERK'S OFFICE
CHRISTEL RAASCH	Assistant Clerk
	GWINNETT COUNTY
SCOTTY LONG	
	HARALSON COUNTY
MARY ANNA MEEKS	
	FULTON COUNTY
CALVIN ROBINSON	Assistant Clerk for Printing
	DEKALB COUNTY
JESSICA COKER	Assistant Journal Clerk
	WALTON COUNTY
ANN CLARK	Assistant Clerk for Enrolling
	FULTON COUNTY
MICHAEL BOZEMAN	Assistant Clerk for Information Systems
	DEKALB COUNTY
CIARA BROWN	
	Administrative Services
	FULTON COUNTY
MOLLY CHAMBERS	Assistant Clerk for Bill Maintenance
	DEKALB COUNTY

#### Representative Hall, Atlanta, Georgia

#### Monday, January 9, 2006

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

The following communications were received:

Secretary of State
Elections Division
Suite 1104, West Tower
2 Martin Luther King, Jr. Drive, S.E.
Atlanta, Georgia 30334-1505

September 30, 2005

The Honorable Robert E. Rivers, Jr. Clerk, House of Representatives State Capitol Atlanta, Georgia 30334

Dear Mr. Rivers:

I am transmitting herewith the name of the Representative elected in the September 27, 2005 Special Election Runoff for the Office of State Representative in the General Assembly of Georgia from District 106, all as the same appear from the consolidated returns which are of file and record in this office.

With kindest regards and best wishes, I am

Sincerely,

/s/ Cathy Cox Secretary of State

CC:LWB:bt

Enclosure

State of Georgia Office of Secretary of State I, Cathy Cox, Secretary of State of the State of Georgia, do hereby certify that the attached page lists the results as shown on the consolidated returns on file in this office for the Special Election held on the 30th day of August, 2005, in District 106 of the State House of Representatives in a portion of Gwinnett County, to fill the vacancy existing due to the resignation of the Honorable Phyllis Miller.

Inasmuch as no candidate received a majority of the votes cast, a Special Election Runoff was held on September 27, 2005 and the results of the consolidated returns on file in this office are also attached.

Having received a majority of votes cast, Melvin Everson was duly elected to this office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 30th day of September, in the year of our Lord Two Thousand and Five and of the Independence of the United States of America the Two Hundred and Thirtieth.

(SEAL)

/s/ Cathy Cox Secretary of State

Election Summary Report
Special Election
House District 106
Summary For Jurisdiction Wide, All Counters, All Races
Official and Complete Results

#### House District 106

	Polling	OS/P	<b>TSABS</b>	Total	
Number of Precincts	17	0	0	17	
Precincts Reporting	17	0	0	17	100.0%
Total Votes	2790	82	108	2980	
WARREN AULD	872	35	23	930	31.21%
MELVIN EVERSON	1162	20	63	1245	41.78%
GARRY M. RHODES	750	27	22	799	26.81%

Election Summary Report
Special Election Runoff
House District 106
Summary For Jurisdiction Wide, All Counters, All Races
Official and Complete Results

House District 106

	Polling	OS/P	TSABS	Total	
Number of Precincts	17	0	0	17	
Precincts Reporting	17	0	0	17	100.0%
Total Votes	2518	56	73	2647	
WARREN AULD	1233	40	37	1310	49.49%
MELVIN EVERSON	1285	16	36	1337	50.51%

#### OFFICIAL OATH OF GEORGIA STATE REPRESENTATIVE

#### HOUSE DISTRICT 106 GEORGIA HOUSE OF REPRESENTATIVES

I do solemnly swear or affirm that I will support the Constitution of this State and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof, that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state, that I have been a resident of my district for the time required by the Constitution and the laws of this state, and that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

SO HELP ME GOD.

#### LOYALTY OATH

I am a citizen of the State of Georgia and a member of the General Assembly and the recipient of public funds for services rendered as such officer and I do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia.

SO HELP ME GOD.

/s/ Melvin Everson STATE REPRESENTATIVE

Sworn to and subscribed before me,

This 5th day of October, 2005. /s/ James W. Oxendine Judge, Gwinnett Superior Court

Secretary of State
Elections Division
Suite 1104, West Tower
2 Martin Luther King, Jr. Drive, S.E.
Atlanta, Georgia 30334-1505

November 14, 2005

The Honorable Robert E. Rivers, Jr. Clerk, House of Representatives State Capitol Atlanta, Georgia 30334

Dear Mr. Rivers:

I am transmitting herewith the name of the Representative elected in the November 8, 2005 Special Election for the Office of State Representative in the General Assembly of Georgia from District 121, all as the same appear from the consolidated returns which are of file and record in this office

With kindest regards and best wishes, I am

Sincerely,

/s/ Cathy Cox Secretary of State

CC:LWB:bt

Enclosure

# State of Georgia Office of Secretary of State

I, Cathy Cox, Secretary of State of the State of Georgia, do hereby certify that the attached page lists the results as shown on the consolidated returns on file in this office for the Special Election held on the 8th day of November, 2005, in District 121 of the State House of Representatives in a portion of Richmond County, to fill the vacancy existing due to the death of the Honorable Henry L. Howard.

Having received a majority of the votes cast, Earnestine Howard was duly elected to this office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 14th day of November, in the year of our Lord Two Thousand and Five and of the Independence of the United States of America the Two Hundred and Thirtieth.

/s/ Cathy Cox Secretary of State

(SEAL)

Election Summary Report
General Municipal and Special Election
Augusta-Richmond Co., Georgia
November 8, 2005
Summary For Jurisdiction Wide, All Counters, All Races
FINAL AND COMPLETE RESULTS

#### HD 121

	Total	
Number of Precincts	19	
Precincts Reporting	19	100.0%
Total Votes	5074	
Earnestine Howard	5011	98.76%
Write-in Votes	63	1.24%

#### OFFICIAL OATH OF GEORGIA STATE REPRESENTATIVE

#### HOUSE DISTRICT 121 GEORGIA HOUSE OF REPRESENTATIVES

I do solemnly swear or affirm that I will support the Constitution of this State and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof, that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state, that I have been a resident of my district for the time required by the Constitution and the laws of this state, and that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

SO HELP ME GOD.

#### LOYALTY OATH

I am a citizen of the State of Georgia and a member of the General Assembly and the recipient of public funds for services rendered as such officer and I do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia.

SO HELP ME GOD.

/s/ Earnestine Howard STATE REPRESENTATIVE

Sworn to and subscribed before me,

This 17th day of November, 2005.

/s/ Carl C. Brown, Jr. Judge

The roll was called and the following Representatives answered to their names:

Amerson	Cummings	Holmes	McCall	Scott, A
Ashe	Davis	Holt	Meadows	Scott, M
Barnard	Day	Horne	Millar	Setzler
Bearden	Dickson	Houston	Mills	Shaw
Benfield	Dodson	Howard, E	Morgan	Sheldon
Benton	Dollar	Hudson	Morris	Sims, C
Black	Drenner	Hugley	Mosby	Sims, F
Bordeaux	Ehrhart	Jackson	Mosley	Sinkfield
Borders	England	Jacobs	Mumford	Smith, B
Bridges	Epps	Jamieson	Murphy, J	Smith, L
Brooks	Everson	Jenkins	Murphy, Q	Smith, P
Brown	Fleming	Jennings	Neal	Smith, R
Bruce	Floyd, H	Johnson	Oliver	Smith, T
Bryant	Floyd, J	Jones, J	O'Neal	Smith, V
Buckner, D	Fludd	Jones, S	Orrock	Smyre
Buckner, G	Forster	Keen	Parham	Stephens
Burkhalter	Franklin	Keown	Parrish	Stephenson
Burmeister	Freeman	Kidd	Parsons	Talton
Burns	Gardner	Knight	Porter	Teilhet
Butler	Geisinger	Lakly	Powell	Thomas, A.M
Byrd	Golick	Lane, B	Ralston	Thomas, B
Carter	Graves, D	Lane, R	Randall	Tumlin
Casas	Graves, T	Lewis	Ray	Walker
Chambers	Greene	Lindsey	Reece, B	Warren
Channell	Hanner	Lord	Reece, S	Watson
Cheokas	Harbin	Loudermilk	Reese	Wilkinson

Coan	Hatfield	Lunsford	Rice	Willard
Cole	Heard, J	Maddox	Roberts	Williams, E
Coleman, B	Heard, K	Mangham	Rogers	Williams, R
Coleman, T	Hembree	Marin	Royal	Wix
Cooper	Henson	Martin	Rynders	Yates
Cox	Hill, C	Maxwell	Sailor	Richardson,
Crawford	Hill, C.A	May	Scheid	Speaker

The following members were off the floor of the House when the roll was called:

Representatives Abdul-Salaam of the 74th, Barnes of the 78th, Beasley-Teague of the 65th, Dukes of the 150th, Heckstall of the 62nd, Jordan of the 77th, Knox of the 24th, Lucas of the 139th, Manning of the 32nd, McClinton of the 84th, Mitchell of the 88th, Stanley-Turner of the 53rd, and Williams of the 165th.

They wish to be recorded as present.

The following communications were received:

House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable David Graves Representative, District 137 PO Box 6475 Macon, Georgia 31208

Dear David:

As a result of your resignation as Chairman of the Regulated Industries Committee, your new office assignment will be 404 Coverdell Legislative Office Building.

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn

Glenn Richardson, Speaker Georgia House of Representatives JGR/gm

cc: Robyn Underwood, Fiscal Officer

House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Roger Williams Representative, District 4 132 Huntington Road Dalton, Georgia 30720

Dear Roger:

As you know, we have had two changes in the composition of the membership in the 2005-2006 Georgia House of Representatives. These changes are the acceptance of the resignation of Phyllis Miller and election of Representative Melvin Everson together with the death of Representative Henry Howard and the election of Representative Earnestine Howard.

Under Rule Eleven of the Rules, Ethics, and Decorum of the House of Representatives, I am authorized to make certain committee appointments as a result of the change of these members. Accordingly, I am hereby making the following changes to your committees:

The addition of Chairman of the Regulated Industries Committee, the addition of the Appropriations Committee. The removal of Intragovernmental Coordination, and Ways and Means. The removal of the Ways and Means Committee will also remove you as Ex-Officio of that committee. Your assignments are now: Appropriations, Industrial Relations, Regulated Industries -- Chairman.

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

JGR/gm

cc: Representative Ben Harbin
Representative Larry O'Neal
Robyn Underwood, Fiscal Officer
Robbie Rivers, Clerk

House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Quincy Murphy Representative, District 120 3238 Peach Orchard Road Augusta, Georgia 30909

Dear Quincy:

As you know, we have had two changes in the composition of the membership in the 2005-2006 Georgia House of Representatives. These changes are the acceptance of the resignation of Phyllis Miller and election of Representative Melvin Everson together with the death of Representative Henry Howard and the election of Representative Earnestine Howard.

Under Rule Eleven of the Rules, Ethics, and Decorum of the House of Representatives, I am authorized to make certain committee appointments as a result of the change of these members. Accordingly, I am hereby making the following changes to your committees:

Removing Intragovernmental Coordination and adding Transportation. Your committee assignments are: Higher Education, Insurance, and Transportation.

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

JGR/gm

cc: Representative Roger Williams
Representative Vance Smith
Robyn Underwood, Fiscal Officer
Robbie Rivers, Clerk

House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Ed Rynders Representative, District 152 423 Martindale Drive Albany, Georgia 31721

Dear Ed:

As you know, we have had two changes in the composition of the membership in the 2005-2006 Georgia House of Representatives. These changes are the acceptance of the resignation of Phyllis Miller and election of Representative Melvin Everson together with the death of Representative Henry Howard and the election of Representative Earnestine Howard.

Under Rule Eleven of the Rules, Ethics, and Decorum of the House of Representatives, I am authorized to make certain committee appointments as a result of the change of these members. Accordingly, I am hereby making the following changes to your committees:

The addition of Chairman of the Intragovernmental Coordination Committee and the removal of the Children and Youth Committee. Your assignments are: Appropriations, Health and Human Resources -- Vice Chairman, Intragovernmental Coordination -- Chairman, and Transportation. Your new office assignment will be in 401 of the Capitol.

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

JGR/gm

cc: Representative Judy Manning Robyn Underwood, Fiscal Officer Robbie Rivers, Clerk House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Melvin Everson Representative, District 106 1725 Winding Creek Circle Snellville, Georgia 30078

Dear Melvin:

After reviewing your request for committee assignments, I hereby appoint you to the following committees:

Education
Judiciary -- Non-Civil
Transportation

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

JGR/gm

cc: Representative Brooks Coleman Representative David Ralston Representative Vance Smith Robyn Underwood, Fiscal Officer Robbie Rivers, Clerk's Office

> House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Earnestine Howard Representative, District 121 2514 Pate Avenue Augusta, Georgia 30906

#### Dear Earnestine:

After reviewing your request for committee assignments, I hereby appoint you to the following committees:

Economic Development and Tourism Intragovernmental Coordination Science and Technology

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

#### JGR/gm

cc: Representative Ron Stephens
Representative Roger Williams
Representative Amos Amerson
Robyn Underwood, Fiscal Officer
Robbie Rivers, Clerk

House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Jim Cole Representative, District 125 189 W. Johnston Street Forsyth, Georgia 31029

#### Dear Jim:

As you know, we have had two changes in the composition of the membership in the 2005-2006 Georgia House of Representatives. These changes are the acceptance of the resignation of Phyllis Miller and election of Representative Melvin Everson together with the death of Representative Henry Howard and the election of Representative Earnestine Howard.

Under Rule Eleven of the Rules, Ethics, and Decorum of the House of Representatives, I am authorized to make certain committee appointments as a result of the change of these members. Accordingly, I am hereby making the following changes to your committees:

The addition of Higher Education -- Secretary. Your committee assignments are: Higher Education -- Secretary, Natural Resources and Environment, Public Safety, State Institutions and Property -- Vice Chairman.

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

JGR/gm

cc: Representative Bill Hembree Robyn Underwood, Fiscal Officer Robbie Rivers, Clerk

> House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Steve Davis Representative, District 109 1109 River Green Court McDonough, Georgia 30252 Dear Steve:

As you know, we have had two changes in the composition of the membership in the 2005-2006 Georgia House of Representatives. These changes are the acceptance of the resignation of Phyllis Miller and election of Representative Melvin Everson together with the death of Representative Henry Howard and the election of Representative Earnestine Howard.

Under Rule Eleven of the Rules, Ethics, and Decorum of the House of Representatives, I am authorized to make certain committee appointments as a result of the change of these members. Accordingly, I am hereby making the following changes to your committees:

Addition of Children and Youth. Your committee assignments are: Children and Youth, Insurance, Interstate Cooperation -- Vice Chairman, and Transportation.

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

JGR/gm

cc: Representative Judy Manning Robyn Underwood, Fiscal Officer Robbie Rivers, Clerk

> House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Chuck Martin Representative, District 47 11770 Haynes Bridge Road Suite 205-311 Alpharetta, Georgia 30004

Dear Chuck:

As you know, we have had two changes in the composition of the membership in the 2005-2006 Georgia House of Representatives. These changes are the acceptance of the resignation of Phyllis Miller and election of Representative Melvin Everson together with the death of Representative Henry Howard and the election of Representative Earnestine Howard.

Under Rule Eleven of the Rules, Ethics, and Decorum of the House of Representatives, I am authorized to make certain committee appointments as a result of the change of these members. Accordingly, I am hereby making the following changes to your committees:

The addition of Vice Chairman of the Ways and Means Committee (which will make you Ex-Officio on the Appropriations Committee). Your assignments are: Appropriations --

Ex-Officio, Natural Resources and Environment, Public Utilities and Telecommunications, Science and Technology -- Vice Chairman, and Ways and Means -- Vice Chairman.

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

JGR/gm

cc: Representative Ben Harbin Representative Larry O'Neal Robyn Underwood, Fiscal Officer Robbie Rivers, Clerk

> House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Charlice Byrd Representative, District 20 PO Box 906 Woodstock, Georgia 30188

Dear Charlice:

As you know, we have had two changes in the composition of the membership in the 2005-2006 Georgia House of Representatives. These changes are the acceptance of the resignation of Phyllis Miller and election of Representative Melvin Everson together with the death of Representative Henry Howard and the election of Representative Earnestine Howard.

Under Rule Eleven of the Rules, Ethics, and Decorum of the House of Representatives, I am authorized to make certain committee appointments as a result of the change of these members. Accordingly, I am hereby making the following changes to your committees:

The addition of Judiciary -- Non-Civil as a fourth committee. Your committee

assignments are: Children and Youth -- Secretary, Health and Human Services, Human Relations and Aging, and Judiciary -- Non-Civil.

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

JGR/gm

cc: Representative David Ralston Robyn Underwood, Fiscal Officer Robbie Rivers, Clerk

> House of Representatives 332 State Capitol Atlanta, Georgia 30334

December 28, 2005

The Honorable Clay Cox Representative, District 102 PO Box 834 Lilburn, Georgia 30048-0834

Dear Clay:

As you know, we have had two changes in the composition of the membership in the 2005-2006 Georgia House of Representatives. These changes are the acceptance of the resignation of Phyllis Miller and election of Representative Melvin Everson together with the death of Representative Henry Howard and the election of Representative Earnestine Howard.

Under Rule Eleven of the Rules, Ethics, and Decorum of the House of Representatives, I am authorized to make certain committee appointments as a result of the change of these members. Accordingly, I am hereby making the following changes to your committees:

The addition of Banks and Banking as a fourth committee. Your committee assignments are: Industrial Relations, Public Safety, State Institutions and Property, and Banks and Banking.

If you have any questions, please do not hesitate to contact me or my office.

Sincerely,

/s/ Glenn Richardson Glenn Richardson, Speaker Georgia House of Representatives

#### JGR/gm

cc: Representative James Mills Robyn Underwood, Fiscal Officer Robbie Rivers, Clerk

Speaker's Order No. 5

Pursuant to the provisions of Rule 11 and 12 of the Rules, Ethics, and Decorum of the House of Representatives, the following appointments and re-appointments are approved and ordered:

- 1) The appointment of Representative Steve Davis to the Children and Youth Committee.
- 2) The appointment of Representative Melvin Everson to the Education, Judiciary -- Non-Civil, and Transportation Committees.
- The appointment of Representative Quincy Murphy to the Transportation Committee and the removal of the Intragovernmental Coordination Committee.
- 4) The appointment of Representative Charlice Byrd to the Judiciary -- Non-Civil Committee.
- 5) The appointment of Representative Clay Cox to the Banks and Banking Committee.
- 6) The appointment of Representative Earnestine Howard to the Economic Development and Tourism, Intragovernmental Coordination, and Science and Technology Committees.
- 7) The appointment of Representative Ed Rynders to the Intragovernmental Coordination Committee as Chairman, and the removal of the Children and Youth Committee.
- 8) The appointment of Roger Williams to the Regulated Industries Committee as Chairman, Appropriations Committee and the removal of Appropriations -- Ex-Officio, Intragovernmental Coordination, and Ways and Means -- Ex-Officio Committee.
- 9) The appointment of Representative Chuck Martin to the Ways and Means Committee as Vice Chairman, Appropriations Committee as Ex-Officio, and the removal of the Appropriations Committee.

- 10) The removal of Representative David Graves as Chairman of the Regulated Industries Committee. He will remain a member of the committee.
- The removal of Representative Chuck Scheid as Secretary of the Appropriations Committee and Ways and Means Committee Ex-Officio. He will remain a member of the Appropriations Committee.
- 12) The appointment of Jim Cole to the Higher Education Committee as Secretary.
- Office assignments as follows: Representative David Graves moving from 401 Capitol to 404 Coverdell Legislative Office Building, Representative Ed Rynders moving from 404 Coverdell Legislative Office building to 401 Capitol. Representative Melvin Everson will be in 504 Coverdell Legislative Office Building and Representative Earnestine Howard will be in 607 of the Coverdell Legislative Office Building.

It is further ORDERED that the Committee on Assignments is hereby empowered to review and revise its initial report on assignments of 2005-2006 House Committees, offices, and members dated January 11, 2005.

So ORDER, by my hand, this 28th day of December, 2006, at 4:00 p.m.

/s/ Glenn Richardson Speaker

Prayer was offered by Reverend Alton Wilson, Pastor, Legacy Baptist Church, Dallas, Georgia.

The members pledged allegiance to the flag.

Representative Heard of the 104th, Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

By unanimous consent, the following was established as the order of business during the first part of the period of unanimous consents:

- 1. Introduction of Bills and Resolutions.
- 2. First reading and reference of House Bills and Resolutions.

By unanimous consent, the rules were suspended in order that the following Bills and Resolutions of the House could be introduced, read the first time and referred to the Committees:

HB 941. By Representatives Benton of the 31st, England of the 108th, Bearden of the 68th, Mosley of the 178th, Maddox of the 172nd and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 13 of Title 45 of the Official Code of Georgia Annotated, relating to the Division of Archives and History, so as to make legislative findings; to recognize the religious heritage of America; to direct the Secretary of State to prepare documents relative to that heritage; to authorize counties to post documents relative to that heritage for education; to direct the Attorney General to defend counties who display documents relative to the religious heritage of America; to set forth the text relative to the religious heritage of America; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Special Rules.

HB 943. By Representatives Knox of the 24th and Murphy of the 23rd:

A BILL to be entitled an Act to amend Chapter 1 of Title 22 of the Official Code of Georgia Annotated, relating to eminent domain in general, so as to specify the purposes for which the power of eminent domain may be used to include transportation and utility purposes; to provide that eminent domain shall not be used for other governmental purposes and shall not be used for economic development or redevelopment; to provide for construction with other laws and construction in general; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 954. By Representatives Geisinger of the 48th, Chambers of the 81st, Lindsey of the 54th, Millar of the 79th and Franklin of the 43rd:

A BILL to be entitled an Act to amend Article 4 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public transportation, so as to delete a prohibition against the sale or exchange of tokens, transfers, transaction cards, or tickets without consent; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 955. By Representatives Geisinger of the 48th, Chambers of the 81st, Millar of the 79th and Lindsey of the 54th:

A BILL to be entitled an Act to amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to public records exempt from disclosure, so as to add an exemption for records of the Metropolitan Atlanta Rapid Transit Authority relating to the development and implementation of the TransCard or SmartCard fare payment system; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 960. By Representatives Davis of the 109th, Loudermilk of the 14th, Lunsford of the 110th, May of the 111th, Watson of the 91st and others:

A BILL to be entitled an Act to amend Chapter 61 of Title 36 of the Official Code of Georgia Annotated, the "Urban Redevelopment Law," so as to provide for a moratorium upon the exercise of the power of eminent domain for purposes of urban development; to provide for exceptions; to provide a statement of legislative findings and a statement of intent; to provide for conflicts; to provide for severability; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 969. By Representatives Roberts of the 154th, Golick of the 34th, Coleman of the 97th, Jones of the 46th and Millar of the 79th:

A BILL to be entitled an Act to amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing for quality basic education, so as to require local school systems to spend a minimum amount of operating funds on direct classroom expenditures; to provide a short title; to provide for definitions; to provide for incremental compliance; to provide for a one-year waiver to compliance; to provide for sanctions for noncompliance; to provide for the submission of budget and expenditure information; to provide for rules and regulations; to change certain provisions relating to expenditure controls for fiscal years 2007 and 2008; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 970. By Representatives Roberts of the 154th, Burkhalter of the 50th, O'Neal of the 146th, Golick of the 34th and Smith of the 129th:

A BILL to be entitled an Act to amend Title 48 of the O.C.G.A., relating to revenue and taxation, so as to provide for a partial exemption for a limited period of time with respect to state sales and use taxes applicable to the liquid propane gas commodity sold and delivered primarily for residential heating purposes and to charges for the natural gas commodity billed for residential use; to provide for legislative findings and intent; to provide for procedures, conditions, and limitations; to provide for powers, duties, and authority of the administrator of Part 2 of Article 15 of Chapter 10 of Title 10 of the O.C.G.A., the "Fair Business Practices Act," as amended; to provide for powers, duties, and authority of the state revenue commissioner with respect to the foregoing; to ratify an executive order of the Governor suspending the collection of such taxes; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 971. By Representatives Amerson of the 9th, Walker of the 107th, Bridges of the 10th, Dickson of the 6th, Coleman of the 97th and others:

A BILL to be entitled an Act to amend Part 1 of Article 1 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to general provisions relative to parks, historic areas, memorials, and recreation, so as to change certain provisions relating to discounts for certified disabled veterans; to provide for discounts for senior citizens; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Game, Fish, & Parks.

HB 972. By Representatives Casas of the 103rd, Everson of the 106th, Cox of the 102nd and Maxwell of the 17th:

A BILL to be entitled an Act to amend Code Section 20-2-200 of the Official Code of Georgia Annotated, relating to teacher certification, so as to provide that the Professional Standards Commission shall not require a course in computer skill competency for certification renewal but shall require a test in basic computer skill competency; to provide for certificated personnel to have the opportunity to take a basic computer skill competency test onsite at his or her assigned school; to provide for onsite proctors for the basic computer skill competency test; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 973. By Representatives Willard of the 49th, Lindsey of the 54th, Jones of the 46th, Buckner of the 130th and Day of the 163rd:

A BILL to be entitled an Act to amend Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to use of speed detection devices for traffic enforcement purposes, so as to change provisions relating to prohibited use of speed detection devices by county and municipal law enforcement officers in certain places and certain circumstances; to provide that such officers may use such devices under certain additional circumstances; to provide for related matters; to provide an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 974. By Representative Willard of the 49th:

A BILL to be entitled an Act to amend Chapter 21A of Title 15 of the Official Code of Georgia Annotated, relating to judicial accounting, so as to clarify that probation supervision fees collected by private corporations, enterprises, or agencies contracting for probation services are subject to requirements for reporting to the Georgia Superior Court Clerks' Cooperative Authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 975. By Representatives Amerson of the 9th, Walker of the 107th, Bridges of the 10th, Dickson of the 6th, Coleman of the 97th and others:

A BILL to be entitled an Act to amend Code Section 31-5A-3 of the Official Code of Georgia Annotated, relating to powers, functions, duties, and composition of the Board of Community Health, so as to require that one member of the board is an educator employed by a local school system in this state; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 976. By Representatives Porter of the 143rd, Hugley of the 133rd, Smyre of the 132nd, Orrock of the 58th, Oliver of the 83rd and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 22 of the O.C.G.A., relating to condemnation procedure generally, so as to require that certain declarations of taking be served and filed by condemning bodies; to provide for right of repurchase by the former owner or other disposal if the declared intended use of condemned property has not commenced within a certain period; to define a term; to redesignate certain provisions; to amend Title 32 of the O.C.G.A., relating to highways, bridges, and ferries, so as to change certain provisions relating to declaration of taking, contests of and attachments to declaration, and conclusive nature of order of condemnation by condemning authority; to amend the O.C.G.A. so as to conform certain related cross-references; to provide legislative declarations and findings; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

#### HB 977. By Representative Jones of the 44th:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates for certain persons and vehicles, so as to provide for a special license plate supporting improvement in the child care industry; to provide for a portion of the revenue to go to the Minority Alliance for Child Care Development Advocates, Inc.; to provide for purposes, design, applications, fees, issuance, revenues, renewals, and transfers; to provide for related matters; to provide a contingent effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

#### HB 978. By Representatives Hill of the 21st and Smyre of the 132nd:

A BILL to be entitled an Act to amend Article 4 of Chapter 13 of Title 45 of the O.C.G.A., relating to the Georgia Capitol Museum, so as to create the Capitol Art Standards Commission; to provide for its membership and appointment; to provide for the terms of members of the commission and the filling of vacancies; to provide for duties and responsibilities; to provide a definition; to provide for the acceptance of certain funds; to provide limitations on the consideration and passage of bills and resolutions authorizing or requiring the display of certain artwork; to provide for related matters; to repeal Code Section 50-16-5.2 of the Official Code of Georgia Annotated, relating to the creation of the Georgia Art Policy Committee; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Special Rules.

HB 979. By Representative Setzler of the 35th:

A BILL to be entitled an Act to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to change certain provisions relating to definitions relative to hazardous waste management; to change certain provisions relating to variances; to change certain provisions relating to riteria for property to qualify for limitation of liability; to change certain provisions relating to limitation of expenses following approval of a corrective action plan; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

HB 980. By Representatives Thomas of the 100th and Buckner of the 130th:

A BILL to be entitled an Act to amend Article 2 of Chapter 9 of Title 12 of the O.C.G.A., relating to motor vehicle emission inspection and maintenance, so as to authorize the Board of Natural Resources to adopt certain motor vehicle emission standards or limitations; to define certain terms; to change certain provisions relating to certificate of emission inspection; to change certain provisions relating to powers and duties of the Board of Natural Resources, designation of the commissioner or director as the board's agent, and powers and duties of the director; to change certain provisions relating to requirement of certificate of emission inspection, standards for issuance, inspectors, equipment, and procedures, notice of violation of emission standards, reinspection after repairs, inspection sticker, new vehicles, and replacement stickers; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

HB 982. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to revise substantially the sales and use tax exemption with respect to eligible foods and beverages for off-premises consumption; to provide for the allocation of certain revenue to fund relief from ad valorem property taxes for educational purposes, indigent defense, mental health and mental retardation care, and PeachCare for children and adults; to provide for a contingent effective date; to provide for applicability; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HR 1037. By Representatives Knox of the 24th and Murphy of the 23rd:

A RESOLUTION proposing an amendment to the Constitution so as to specify the public purposes for which the power of eminent domain may be exercised under the authority of the State of Georgia and provide that economic development or redevelopment shall not constitute a public purpose for which private property may be acquired by eminent domain; to provide for submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Judiciary.

HR 1045. By Representatives Golick of the 34th, Hembree of the 67th, Smith of the 129th, Roberts of the 154th, Knight of the 126th and others:

A RESOLUTION proposing an amendment to the Constitution of Georgia so as to protect lottery funds so that they may be reserved only for the HOPE Scholarship Program and other tuition grants, scholarships, or loans to enable citizens of this state to attend colleges and universities within this state, for voluntary pre-kindergarten, and for educational shortfall reserves; to provide for submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Higher Education.

HR 1046. By Representative Sims of the 169th:

A RESOLUTION proposing an amendment to the Constitution so as to allocate the revenue from the state sales and use tax with respect to the sale of food and beverages for off-premises consumption to fund relief from ad valorem property taxes for educational purposes, indigent defense, mental health and mental retardation care, and PeachCare for children and adults; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Ways & Means.

HR 1047. By Representatives Thomas of the 100th and Buckner of the 130th:

A RESOLUTION proposing an amendment to the Constitution so as to authorize the General Assembly to provide by law for creation and administration of a nonlapsing trust fund or funds for purposes of hazardous waste management, solid waste management, or both; to provide for appropriations and dedication of revenue to such funds; to provide for

ratification of previously enacted laws relating to such funds; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Appropriations.

By unanimous consent, the following Bills and Resolutions of the House were read the second time:

HB 898	HB 925
HB 899	HB 926
HB 900	HB 927
HB 901	HB 928
HB 902	HB 929
HB 903	HB 930
HB 904	HB 931
HB 905	HB 932
HB 906	HB 933
HB 907	HB 934
HB 908	HB 935
HB 909	HB 936
HB 910	HB 937
HB 911	HB 938
HB 912	HB 939
HB 913	HR 821
HB 914	HR 822
HB 915	HR 823
HB 916	HR 824
HB 917	HR 825
HB 918	HR 855
HB 919	HR 902
HB 920	HR 903
HB 921	HR 910
HB 922	HR 949
HB 923	HR 950
HB 924	HR 951

The following members were recognized during the period of Morning Orders and addressed the House:

Holmes of the 61st, Amerson of the 9th, and Forster of the 3rd.

The following Resolutions of the House were read and adopted:

HR 1042. By Representatives Keen of the 179th and Ehrhart of the 36th

#### **A RESOLUTION**

To notify the Senate that the House of Representatives has convened; and for other purposes.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Clerk of the House is hereby instructed to notify the Senate that the House of Representatives has convened in regular session and is now ready for the transaction of business.

HR 1043. By Representatives Keen of the 179th and Ehrhart of the 36th

#### A RESOLUTION

Calling a joint session of the House of Representatives and the Senate for the purpose of hearing a message from the Governor; inviting the Justices of the Supreme Court and the Judges of the Court of Appeals to be present at the joint session; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that His Excellency, Governor Sonny Perdue, is hereby invited to address a joint session of the House of Representatives and the Senate at 3:00 P.M., Wednesday, January 11, 2006, in the hall of the House of Representatives.

BE IT FURTHER RESOLVED that a joint session of the House of Representatives and the Senate be held in the hall of the House of Representatives at 2:45 P.M. on the aforesaid date for the purpose of hearing an address from His Excellency, the Governor.

BE IT FURTHER RESOLVED that a committee of fourteen, seven from the House to be named by the Speaker and seven from the Senate to be named by the President Pro Tempore, be appointed to escort His Excellency, the Governor, to the hall of the House of Representatives.

BE IT FURTHER RESOLVED that the Justices of the Supreme Court and the Judges of the Court of Appeals are hereby extended an invitation to be present at the joint session.

BE IT FURTHER RESOLVED that the Secretary of the Senate is hereby instructed to transmit a copy of this resolution to the Governor, to each Justice of the Supreme Court, and to each Judge of the Court of Appeals.

The following Resolution of the House was read:

HR 1044. By Representatives Keen of the 179th and Ehrhart of the 36th

#### **A RESOLUTION**

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn at the close of the legislative day on Friday, January 13, 2006, and shall reconvene on Monday, January 23, 2006.

BE IT FURTHER RESOLVED that for the duration of the remainder of the 2006 session of the General Assembly until its adjournment sine die, unless otherwise provided by resolution of the General Assembly, the General Assembly shall adjourn at 5:00 P.M. on each Friday on which the General Assembly is in session and shall reconvene on the Monday next following.

BE IT FURTHER RESOLVED that, as authorized by Code Section 28-1-2, the hour for convening the Senate on each such Monday may be as ordered by the Senate; and the hour for convening the House on each such Monday may be as ordered by the House.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	Y Scheid
Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Dean	Y Houston	Y McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Y Sheldon
Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Sims, C
Benfield	Y Drenner	Y Jackson	Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Y Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Bryant	Y Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Y Stephenson
Y Burkhalter	Freeman	Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Knox	Y Parsons	Y Thomas, A.M
Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson

Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Lucas	Y Reese	Y Williams, A
Y Cole	Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson,
				Speaker

On the adoption of the Resolution, the ayes were 163, nays 0.

The Resolution was adopted.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

#### Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolutions of the Senate:

SR 644. By Senators Johnson of the 1st, Williams of the 19th and Brown of the 26th:

A RESOLUTION to notify the House of Representatives that the Senate has convened; and for other purposes.

SR 645. By Senators Johnson of the 1st, Williams of the 19th and Brown of the 26th:

A RESOLUTION to notify the Governor that the General Assembly has convened; and for other purposes.

The President appointed as a Committee of Notification the following Senators: Williams of the 19th, Brown of the 26th, Starr of the 44th, Shaefer of the 50th, Chance of the 16th, Adelman of the 42nd and Tarver of the 22nd.

Representative Scott of the 153rd District, Chairman of the Committee on Governmental Affairs, submitted the following report:

#### Mr. Speaker:

Your Committee on Governmental Affairs has had under consideration the following Bill of the Senate and has instructed me to report the same back to the House with the following recommendation:

#### SB 84 Do Pass, by Substitute

Respectfully submitted, /s/ Geisinger of the 48th Secretary

Representative O'Neal of the 146th District, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

Your Committee on Ways and Means has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 970 Do Pass

Respectfully submitted, /s/ O'Neal of the 146th Chairman

The Speaker announced the House in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned until 10:00 o'clock, tomorrow morning.